

PLANNING AND ZONING COMMISSION REGULAR MEETING SEPTEMBER 9, 1992,
7:00 P.M. Page 1 of 4

Chw. Ann Loffredo, Vice-Chm. Stephen T. Gionfriddo, Sec'y John Robinson, Stephen P. Shapiro, Jennifer Alexander left at 9:20 P.M., Philip Halibozek, W. Lee Osborne arrived at 7:16 P.M., Sebastian Timbro

COMMISSION
MEMBERS PRESENT

Stephen Gadomski, Sebastian Passanesi, Anthony J. Vasiliou, Mayor Sebastian J. Garafalo, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION
MEMBERS ABSENT

Alternate Comm. Philip Halibozek acted for absent Comm. Stephen Gadomski. Alternate Comm. W. Lee Osborne acted for absent Comm. Sebastian Passanesi. Alternate Comm. S. Timbro acted for absent Comm. Anthony J. Vasiliou

ACTING MEMBERS

William Warner, Planning Director, Tom Nigosanti, Chief Engineer, Public Works Dept.

STAFF

There were approximately 40 members from the public.

OTHERS

On motion and second by Comms. Gionfriddo and Shapiro the Commission approved the minutes of the 8/26/92 meeting. Vote was unanimous.

ITEM 2
A P P R O V E D
8/23/92 MINUTES

The Commission acknowledged the Zoning Enforcement Officer's monthly report and sign report.

ACKNOWLEDGED
ZEO REPORTS

On motion and second by Comms. Gionfriddo and Shapiro the Commission tabled a proposal to amend the Subdivision Regulations of the City of Middletown. Proponent P & Z Comm. Vote was unanimous.

ITEM 4.1
T A B L E D
SUBDIVISION
REGULATIONS

On motion and second by Comms. Gionfriddo and Robinson the Commission denied a proposed special exception to permit the conversion of an existing in-law apartment to a two family dwelling located on 209 Prospect Street. Applicant/agent Mario Vinci/Atty. Philip Karpel SE92-12. Vote was unanimous. The Commission in accordance with Section 53.02.02 of the Zoning Code felt that to grant the special exception would adversely affect the public interest. This item was moved to the end of the agenda.

ITEM 4.2
D E N I E D
CONVERSION TO 2
FAMILY DWELLING
209 PROSPECT ST

On motion and second by Comms. Gionfriddo and Shapiro the Commission approved a request to switch model home approval from Lots 6 and 7 to Lots 1 and 3 in the Lee Farm Estates Subdivision located on Sherman Lee Drive. Applicant/agent Verna Developers/Elizabeth Verna S91-6. Vote was unanimous.

ITEM 4.3
SWITCHED MODEL
HOME APPROVAL
TO LOTS 1 AND 3
LEE FARMS
ESTATES

On motion and second by Comms. Robinson and Timbro the Commission the Commission gave an affirmative G. S. 8-24 report to accept a parcel of land situated on Fowler Avenue shown on a map entitled, "Subdivision Map Property of Sebastian C. Mazzotta". Applicant City Attorney. Vote was unanimous. Vice-Chm. Stephen Gionfriddo disqualified himself and Alternate Comm. Jennifer Alexander acted in his place.

ITEM 5.1
AFFIRMATIVE
G. S 8-24
REPORT ACCEPTED
PARCEL FOWLER
AVENUE

On motion and second by Comms. Gionfriddo and Shapiro the Commission scheduled a public hearing on September 23, 1992 to consider a proposed two lot subdivision located on the north side off Flynn Lane east of Cambridge Court. Applicant/agent Carl Czaja/Henry S. Novicki S92-13. Vote was unanimous.

ITEM 5.2
SCHEDULED P.H.
9/23/92 2 LOTS
FLYNN LANE

There is a tape recording of the public hearing available in the Planning and Zoning Office.

P.H. RECORDING

On motion and second by Comms. Gionfriddo and Shapiro the Commission withdrew its proposed Zoning Code text amendment to add under Section 16, Definitions, Section 16.01A, "Adult Care Facility" as a special exception in the RPZ, R-15, R-30, R-45, R-60, TD, M, MX and R-1 zones. Proponent P & Z Comm. Vote was unanimous.

ITEM 6.1
WITHDREW ZONING
CODE TEXT
AMENDMENT ADULT
CARE FACILITY

Atty. Sebastian Giuliano explained the application and described the site by using Tax Assessor's Map No. 35. Several people spoke from the public. Comms. Shapiro and Gionfriddo motioned to close the public hearing. Vote was unanimous to close the public hearing. On motion and second by Comms. Shapiro and Gionfriddo the Commission denied a special exception to convert an existing building from a lunch room to a check cashing service located at 283 East Main Street. Applicant/agent June Signorelli SE92-15. Vote was 6 to 1 with Comm. Halibozek voting against denying the application. The Commission in accordance with Sections 44.04.02 and 44.04.04 felt granting the special exception would cause adverse effects and traffic movement problems.

ITEM 6.2
DENIED S.E.
CONVERSION TO
CHECK CASHING
283 EAST MAIN
STREET JUNE
SIGNORELLI

Atty. Mark Quattro explained an application for a proposed special exception to permit construction of a pool and cabanas at America's Cup Restaurant in the 100 year floodplain located at 80 Harbor Drive. Applicant/agent Harbor Drive Associates/Atty. Mark H. Quattro SE92-14. Ed Wenners addressed the floodplain issues. The general topic of questions from the Commission was parking requirements. George Souto on behalf of South Middletown Association, Carl Bolz on behalf of Westfield Residents for Rational Development of Middletown, and several other members of the public spoke in opposition to the application. Comms. Gionfriddo and Halibozek motioned to close the public hearing. Vote was unanimous. On motion by Comms. Shapiro and Halibozek the Commission approved the special exception application with the conditions the pool be closed by 8:00 P.M. and meet departmental comments with 5 members voting in favor and 2 members opposed. Comms. Stephen Gionfriddo, Stephen Shapiro, Philip Halibozek, W. Lee Osborne, and Sebastian Timbro voted to grant the approval. Comms. Ann Loffredo and John Robinson voted against the application. Alternate Comm. Jennifer Alexander left the meeting at 9:20 P.M.

ITEM 6.3
A P P R O V E D
S P E C I A L
E X C E P T I O N
CONSTRUCTION OF
P O O L A N D
C A B A N A S 8 0
H A R B O R D R I V E
A M E R I C A ' S C U P
R E S T A U R A N T

Mr. Bennet presented the application to the Commission. Comm. Shapiro left the room at 8:25 P.M. The Commission on motion and second by Comms. Gionfriddo and Robinson closed the public hearing for a proposed 3 lot resubdivision of Lot No. 4 of the Arbutus Estates Subdivision located on the northeast corner of Kelsey and Arbutus Streets. On motion and second by Comms. Gionfriddo and Robinson the Commission granted preliminary approval of a 3 lot resubdivision of Lot No. 4 of the Arbutus Estates Subdivision located on the northeast corner of Kelsey Street and Arbutus Streets with the proviso it meet Public Works Department's requirements and that one curb cut serve both lots 4 and 5. Applicant/agent George Smilas S92-7. Vote was unanimous.

On motion and second by Comms. Gionfriddo and Halibozek the Commission continued, as requested by the applicant, an application for a proposed Zoning Code text amendment to add Sections 44.08.38 and 61.02.24, "Bus Parking, Maintenance and Repair" as a special exception in the B-2 (General Business) zone until 9/23/92. Applicant/agent James F. Ripper, Trustee Z92-15. Vote was unanimous.

There was no discussion with the public.

Adjournment was at 9:45 P.M.

Respectfully submitted,

William Warner
Planning Director

Approved at the meeting of 9/23/92.

ITEM 6.4
G R A N T E D
P R E L I M I N A R Y
A P P R O V A L 3 L O T
R E S U B D I V I S I O N
O F L O T 4
A R B U T U S E S T A T E S
S U B D I V I S I O N
N O R T H E A S T
C O R N E R K E L S E Y
S T. A N D A R B U T U S
S T

ITEM 6.5
CONTINUED P.H.
9/23/92 ZONING
CODE TEXT
AMENDMENT BUS
P A R K I N G
M A I N T E N A N C E A N D
R E P A I R

ITEM 7
NO DISCUSSION
WITH PUBLIC

ADJOURNMENT